

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

DELMARK ROBINSON AND
EVELYN ROBINSON

PLAINTIFFS

v.

CIVIL ACTION NO. 4:25-CV-20-DMB-DAS

WINONA POLICE DEPARTMENT, ET AL.

DEFENDANTS

ORDER EXTENDING DEADLINE FOR SERVICE OF PROCESS

On February 7, 2025, the plaintiffs Delmark Robinson and Evelyn Robinson filed a Complaint alleging various constitutional violations against Winona Police Department, City of Winona, and Montgomery County Sheriff Department. Doc. 1. The plaintiffs also moved to proceed *in forma pauperis*, however, their motion was denied on April 4, 2025 [Doc. 10], and the plaintiffs paid the filing fee on April 14, 2025. On May 23, 2025, the Clerk of Court issued summons for the defendants, and the summonses were mailed to the plaintiffs for service. Doc. 11. On July 2, 2025, the Clerk of Court issued a Notice of Incomplete Process as to all the defendants. Doc. 12.

Under Federal Rule of Civil Procedure 4(m), the plaintiffs had until May 8, 2025, to serve the defendants with the Complaint. Rule 4(m) states “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m) (emphasis supplied). However, the court notes that nearly 60 days elapsed before the plaintiffs were ordered to pay the filing fee. Therefore, the court will allow the plaintiffs an additional 30 days to complete service of process in this case. All defendants must be served no later than August 4, 2025.

SO ORDERED, this the 3rd day of July, 2025.

/s/ David A. Sanders

UNITED STATES MAGISTRATE JUDGE